

**CITY COUNCIL OF THE CITY OF SAN DIEGO
SPECIAL CLOSED SESSION DOCKET
FOR
MONDAY, SEPTEMBER 27, 2004 AT 2:00 P.M.
CITY ADMINISTRATION BUILDING
COMMITTEE ROOM – 12TH FLOOR
202 “C” STREET
SAN DIEGO, CA 92101**

NOTE: In accordance with the San Diego City Council Temporary Rule for Noticing and Conduct of Closed Session Meetings a portion of the regular open meeting agenda of the City Council has been reserved for City Attorney comment, public comment, and City Council discussion of the content of this Closed Session Docket. Please see the Open Session Agenda to determine when such matters may be heard.

Due to the anticipated length of the regular City Council meeting for September 28, 2004, the Mayor is calling a Special Closed Session meeting for Monday, September 27, 2004, in the Committee Room on the 12th Floor of the City Administration Building, 202 C Street, San Diego, California. **The Special Closed session will commence immediately following the conclusion of the regular open session meeting that day.**

Pursuant to the new temporary Council Rule on closed sessions, the public will have the opportunity to comment on these matters during the regular open session of the City Council on September 27, 2004. The open session agenda for that day will reflect the appropriate open session item for public comment. **The closed session called pursuant to this memorandum may continue into Tuesday, September 28, 2004.**

The agenda for the Special Closed Session is the following:

Conference with Legal Counsel - existing litigation, pursuant to California Government Code section 54956.9(a):

**CS-1 *De Anza Cove Homeowners Association, Inc. v. City of San Diego*
San Diego Superior Court Case No. GIC 821191**

DCA assigned: Gleeson

This matter concerns the litigation filed by the De Anza Cove Homeowners Association [HOA] against the City of San Diego seeking damages related to expiration of the prior lease and transition of the property from use as a mobile home park to park and recreational use. In closed session, the City's outside litigation counsel and the City Attorney will report on the status of the litigation, and other matters affecting the litigation.

CS-2 *Roberta Crandall, etc. v. City of San Diego, et al.*
United States District Court Case No. 02cv2124 J (POR)

DCA assigned: Castleman

This matter concerns the litigation filed by Roberta Crandall on behalf of the Estate of Gary Martin, arising from an incident in which a San Diego Police Officer used deadly force during the course of an arrest. In closed session, the City Manager and the City Attorney will report on the status of the litigation and the settlement demand made by the Plaintiff's attorney.

CS-3 *Lisa Marie Jones v. City of San Diego*
San Diego Superior Court No. GIC 816837

DCA assigned: Ostrow

This is a complaint for personal injuries arising from an incident in which a concrete step near the bottom of a City-owned beach stairway collapsed under Plaintiff's foot, causing her to fracture her right ankle. In closed session, the City Manager and City Attorney will request that the City Council consider filing a 998 Offer to Compromise this case.

CS-4 *Fennell v. City*
San Diego Superior Court No. GIC 814381

DCA assigned: Sherman

This is a trip and fall case in which Plaintiff contends that she was injured as a result of a dangerous condition of a City sidewalk at 3065 Rosecrans Place. In closed session, the City Manager and City Attorney will brief the City Council on the matter and discuss a proposed settlement of it.

CS-5 *Conde v. City of San Diego et al*
San Diego Superior Court No. GIC 834467

HDCA assigned: Girard

This matter is litigation concerning the District 4 vacancy and the application of term limits to former City Council Member George Stevens. While the City prevailed on the issue of the date for the special election, the applicability of term limits to Mr. Stevens is now at issue. In closed session the City Attorney will brief the City Council on the status of the case and seek direction for the City's position at the hearing on the issue.

Conference with Legal Counsel - anticipated litigation - significant exposure to litigation, pursuant to California Government Code section 54956.9(b):

CS-6 *La Jolla United Methodist Church v. City of San Diego*

DCA assigned: Gleeson

This matter concerns a dispute between the City and the La Jolla Methodist Church regarding property rights in the formerly planned extension of Faye Avenue. In closed session the City Attorney will advise the City Council on the status of the dispute and seek further direction concerning the matter.